

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MICROSOFT CORPORATION, a Washington
corporation,

Plaintiff,

v.

L & Y ELECTRONICS, INC., a Virginia corporation,
JOHN A LINTON, an individual, and SANGSOON
LINTON, an individual,

Defendants.

Civil Action No. 1:08cv00596-GBL-
JFA

**PLAINTIFF MICROSOFT CORPORATION'S RESPONSE TO DEFENDANT
SANGSOON LINTON'S FIRST SET OF INTERROGATORIES**

INTERROGATORY NO. 1:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the
trademark identified in trademark registration number 1,200,236.

ANSWER TO INTERROGATORIES NO 1:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous.
Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome
and seeks information that is not relevant to this action and not reasonably calculated to lead to
the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a
response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 2:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 1,256,083.

ANSWER TO INTERROGATORIES NO 2:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous.

Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 3:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 1,872,264.

ANSWER TO INTERROGATORIES NO 3:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous.

Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 4:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 2,744,843.

ANSWER TO INTERROGATORIES NO 4:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 5:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 1,475,795.

ANSWER TO INTERROGATORIES NO 5:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 6:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 1,741,086.

ANSWER TO INTERROGATORIES NO 6:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 7:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 2,188,125.

ANSWER TO INTERROGATORIES NO 7:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 8:

Identify all Microsoft items that have been distributed or licensed by Microsoft with the trademark identified in trademark registration number 2,999,281.

ANSWER TO INTERROGATORIES NO 8:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving the foregoing objections, Microsoft will provide a response regarding the Microsoft software at issue in this action.

INTERROGATORY NO. 9:

For Microsoft Office 97, Microsoft Office 2000, Microsoft Office XP, Microsoft Office 2003, Microsoft Office 2007, Microsoft Office 98 Macintosh Edition, Microsoft Office 2001, Microsoft Office v.X, Microsoft Office 2004 for Mac, Microsoft Office 2008 for Mac, Microsoft Windows 3.1, Microsoft Windows NT 4.0, Microsoft Windows 98, Microsoft Windows 2000, Microsoft Windows Millennium Edition, Microsoft Windows Server 2008 state the average manufacturing, printing and shipping costs for the manual sold with the product.

ANSWER TO INTERROGATORIES NO 9:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this interrogatory to the extent that it

seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

INTERROGATORY NO. 10:

Describe the activation process for Microsoft Office Professional Edition 2003, identifying how and when Microsoft will allow a Microsoft item to be activated.

ANSWER TO INTERROGATORIES NO 10:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this interrogatory to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

INTERROGATORY NO. 11:

Describe the Microsoft Windows Genuine Advantage process, how that process works and how it differs, if at all, from the Microsoft activation process for Microsoft Office Professional Edition 2003.

ANSWER TO INTERROGATORIES NO 11:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome

and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence, since this case involves the distribution of counterfeit Microsoft software. Microsoft objects to this interrogatory to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

INTERROGATORY NO. 12:

Identify with specificity all correspondence or reports stating directly or implying that that L&Y Electronics has infringed Microsoft intellectual property rights.

ANSWER TO INTERROGATORIES NO 12:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad as to time. Microsoft objects to this interrogatory to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential. Microsoft objects to this interrogatory to the extent it seeks information protected by the attorney-client privilege, the work product doctrine and/or any other applicable privilege.

Subject to and without waiving the foregoing objections, Microsoft will provide a response.

INTERROGATORY NO. 13:

Identify any inaccuracies, errors or misstatements contained in the attached article, "Microsoft Office." Wikipedia, The Free Encyclopedia. 16 Sep 2008, 19:04 UTC. 16 Sep 2008

http://en.wikipedia.org/w/index.php?title=Microsoft_Office&oldid=238861881.

ANSWER TO INTERROGATORIES NO 13:

Microsoft objects to this interrogatory on the grounds it is vague and ambiguous. Microsoft further objects to this interrogatory on the grounds it is overly broad and burdensome and seeks information that is not relevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Microsoft objects to this interrogatory to the extent that it seeks information that is a trade secret or proprietary information concerning Microsoft's business, or other information that Microsoft is under an obligation to or finds necessary to keep confidential.

Dated: October 6, 2008

Respectfully submitted,

By: 

JOHN K. ROCHE ESQ.

PERKINS COIE LLP
607 Fourteenth Street
N.W. Suite 800
Washington, D.C. 20005
Telephone: 202.434.1627
Facsimile: 202.654-9106
jroche@perkinscoie.com

Attorneys for Plaintiff
MICROSOFT CORPORATION

CERTIFICATE OF SERVICE

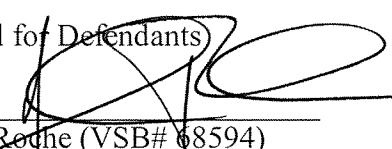
I hereby certify this 6th day of October, 2008, the foregoing has been sent to the following individuals via electronic mail and U.S. Mail:

Jenine Elco Graves, VSB# 44877
QUINTO & WILKS, P.C.
3441 Commission Court
Lake Ridge, Virginia 22192
Phone: 703-492-9955
Fax: 703-492-9455
jgraves@quintowilks.com

Co-counsel for Defendants

Timothy W. Graves, VSB# 45414
A ATTORNEY LLC
9300 Grant Avenue, Suite 203
Manassas, Virginia 20110
Phone: 703-365-8306
Fax: 703-365-8307
a-atty@verizon.net

Co-counsel for Defendants

By 
John K. Roche (VSB# 68594)
Perkins Coie, LLP
607 Fourteenth Street N.W., Suite 800
Washington D.C. 20005-2003
Phone: 202-434-1627
Fax: 202-654-9106
JRoche@perkinscoie.com

Attorney for Plaintiff Microsoft Corporation